

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:	:	Chapter 11
CIRCUIT CITY STORES, INC., et al., <sup>1</sup>	:	Case No. 08-35653-KRH
Debtors.	:	(Jointly Administered)
	:	
	:	

**NOTICE OF INTENT TO DESTROY OBSOLETE ELECTRONIC  
DATA TAPES OF THE DEBTORS HELD IN STORAGE, CONCERNING,  
BUT NOT LIMITED TO, CORPORATE RECORDS, HUMAN RESOURCES,  
AND STORE SUPPORT CENTER FUNCTIONS**

DEADLINE TO OBJECT/RESPOND: **SEPTEMBER 15, 2017, 5:00 PM (Eastern)**

THIS NOTICE IS BEING PROVIDED PURSUANT TO AN ORDER APPROVING PROCEDURES AUTHORIZING DESTRUCTION OF OBSOLETE BUSINESS RECORDS PURSUANT TO 11 U.S.C. §§554 AND BANKRUPTCY RULE 6007, SIGNED BY THE COURT ON APRIL 29, 2009 ("COURT ORDER"). YOU MUST ADHERE TO THE TERMS OF THIS NOTICE AND THE COURT ORDER IN ORDER TO PROTECT YOUR RIGHTS. IF YOU OPPOSE THIS NOTICE OF INTENT TO DESTROY THE OBSOLETE BUSINESS RECORDS (DESCRIBED BELOW), YOU MUST FOLLOW THE PROCEDURES DESCRIBED. PLEASE READ THE FOLLOWING PROCEDURES CAREFULLY.

The Trustee of the Circuit City Stores, Inc. Liquidating Trust (the "Liquidating Trust") shall authorize the destruction of the obsolete electronic-copy business records described below pursuant to the procedures approved by the Court Order. Please note that the objection and other procedures set forth herein have previously been approved by the Court pursuant to the Court

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of their respective federal tax identifications numbers, are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), Prahs, Inc. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512).

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Order, and therefore, any objections that you may have as to these procedures themselves shall not be considered, and shall not be deemed an objection to the proposed destruction of obsolete business records.

1. Storage facilities at which the obsolete records are located:	<p><u>Recall</u>, 1790 Ruffin Mill Road, Building D, Colonial Heights, VA 23834</p> <p><u>Entrust</u>, 1600 Rhoadmiller Street, Richmond, VA 23220</p>
2. Obsolete Business Records on Premises to Be Destroyed by the Trust:	<p>Electronic tapes/media located at the facilities listed in item 1 above, containing obsolete business records, including but not limited to human resources, payroll, store, field locations, loss prevention, store support center (accounting, payables, receivables, audit, reporting, tax, supply chain, procurement, etc), which previously were utilized in systems and infrastructure that were decommissioned prior to creation of the Trust, are not accessible by Trust operating systems, and are not needed for ongoing Trust operations.</p> <p><u>Note:</u> None of the tapes to be destroyed involve records in any way applicable to the continuing matters in which the Trust is engaged. In addition, none of the records to be destroyed pertain to (1) Safeco's obligations under any of the surety bonds (the "bonds") listed in the Trustee's First Amended Complaint in the adversary proceeding styled <i>Alfred H. Siegel, solely as Trustee of the Circuit City Stores, Inc. Liquidating Trust, v. Safeco Ins. Co. of Am. (In re: Circuit City Stores, Inc.)</i>, No. 17-03042-KLP (dkt. 39), and/or (2) actual or potential claims which the debtors or Trustee have received or may receive from obligees on the bonds and/or third-party claimants against the bonds.</p>

Objection Procedures:

- If you object to the destruction of obsolete business records as described above, you **MUST** serve on counsel for the Liquidating Trustee and the other parties listed below (the "Notice Parties") and file with the Clerk of the Bankruptcy Court, 701 E. Broad Street, Suite 4000, Richmond, VA 23219, a written objection to this Notice. Pursuant to Bankruptcy Rule 6007(a), all objections must be filed with the Bankruptcy Court and be received by the Notice Parties by **September 15, 2017, at 5:00 p.m. (Eastern Time)** ("Objection Deadline").

- If an objection is not timely and properly filed and served in accordance with the preceding paragraph, the destruction of obsolete business records shall be effective without

further notice, hearing, or order of the Bankruptcy Court. If an objection is timely and properly served and filed, the Court will schedule a hearing to consider this Notice and the objection.

Parties Upon Whom this Notice is Served:

- (i) the United States Trustee, 701 E. Broad Street, Suite 4304, Richmond, VA 23219-1888, Attn. Robert B. Van Arsdale;
- (ii) counsel for the Liquidating Trustee, Pachulski, Stang, Ziehl & Jones, LLP, 10100 Santa Monica Boulevard, 13<sup>th</sup> Floor, Los Angeles, CA 90067, Attn: Andrew Caine; Tavenner & Beran PLC, 20 North 8<sup>th</sup> Street, Richmond, VA 23219, Attn: Paula S. Beran, Lynn L. Tavenner;
- (iii) the Core Group, as defined in the Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rule 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management and Administrative Procedures (the "Case Management Order");
- (iv) the 2002 List, as defined in the Case Management Order;
- (v) the Consumer Privacy Ombudsman appointed to the Debtors' bankruptcy case, Lucy L. Thomson, 915 North Quaker Lane, Alexandria, VA 22302; and
- (vi) the attorneys for (a) Old Republic Insurance Company, (b) Safeco Insurance Company of America, and (c) the Commonwealth of Virginia Department of Taxation.

Dated: September 1, 2017

TAVENNER & BERAN, P.L.C.

/s/ Lynn L. Tavenner

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